

May construct
and repair a
railroad, &c.

Sec. 12. *And be it enacted*, That the said President and Board of Directors of said company, or a majority of them, may construct and repair a railroad from some suitable point on the Wicomico river at Salisbury, *via* Derickson's Cross Roads, to some other suitable point on the Pocomoke river in the neighborhood of Mitchell bridge, and if the said President and Directors deem it advisable to do so, they may continue said road *via* Whaleysville to the town of Berlin, or to any intermediate point between the Pocomoke river and the town of Berlin, and, also, if they deem it advisable, they may extend said road from the town of Salisbury down said Wicomico river, on either side, to not more than three miles below said town, the said points to be determined by the President and Board of Directors of said company, and they may contract for the making of the said railroad, and may, with their agents, enter upon, use and evacuate any land they may need for the site of the said road, or the erection of warehouses or other works necessary to said road, and may build bridges, fix scales and weights, lay rails, take and use any earth, timber, gravel or other materials for the construction or repair of any part of said work, and may make and construct or erect all works necessary for the completion of said road; *provided*, that no bridge over either branch of the Wicomico river near Salisbury shall obstruct the navigation of such branch more than the present bridge over such branch may do.

Proviso.

Mode of proceedings in a case of condemnation.

Sec. 13. *And be it enacted*, That the President and Directors of said company, or a majority of them, or their agents, may agree — the owner or owners of any land, earth, timber, gravel or other materials, or any improvements for the construction or repairs of said road or its works, for the purchase or use and occupation of the same, and in case they cannot agree, or if the owner or owners, or any of them, be a *feme covert*, under age, *non compos mentis*, or out of the county in which the property wanted may lie, when such lands or materials may be needed, on application to a Justice of the Peace of such county, he shall issue his warrant, under his hand and seal, directed to the Sheriff of said county, requiring him to summon a jury of twenty inhabitants of said coun-